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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Jagdish Bhalla, Ag C.J.

Writ Petition (C) No. 5650 of 2007

Petitioner : Umesh Prasad Sahu, S/o Sonsai Sahu, aged (approximately) 48 years, Profession - Assistant Teacher - Govt Primary School Central Work Shop, Korba, Presently residing at No.E/WS 125, Maharana Pratap Nagar, Korba, Tehsil & District Korba (CG)

Versus

Respondents

1. Vijay Sharda Sao, W/o Umesh Prasad Sahu, Aged about 42 years, Profession -Shikshakarmi Class - II, Govt Middle School, Ongana, Block Development Dharamjaigarh, Tehsil & District Raigarh

2. State of Chhattisgarh Through District Magistrate, Raigarh (CG)

Writ Petition under Article 227 of the Constitution of India

Present : Smt Fouzia Mirza, counsel for the petitioner.

ORAL ORDER

(Passed on 6th November, 2007)

Learned counsel for the petitioner restricts her prayer to the extent that the application moved by the petitioner under Section 25 of the Hindu Marriage Act, pending before the Family Court, Raigarh be decided expeditiously for the reason that now the circumstances have been changed which are (i) the petitioner's wife has been appointed as Shiksha Karmi with the

salary of Rs.3000/-; (ii) the petitioner has been suspended and he would only be entitled for Rs.3,000/- as subsistence allowance.

Accordingly, interest of justice would suffice if the application filed by the petitioner under Section 25 of the Hindu Marriage Act, pending before the Family Court, Raigarh is decided expeditiously and if possible on the next date fixed.

With this observation, the petition stands disposed of.

Sd/-
Acting Chief Justice

kamde